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APPLICATION NO.	FILING DATE / 7	LU	FIRST NAMED INVENTOR	P	ATTORNEY DOCKET NO.
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MM21/0806

TRIAL & TECHNOLOGY LAW GROUP
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KOZMA, T EXAMINER

ZART UNIT PAPER NUMBER

08/06/99 #7

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.	977407	Applicant(s)	Luetel
Examiner	T. Kozma	Group Art Unit	2832

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE Three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication .
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

Responsive to communication(s) filed on April 9, 1999.

This action is FINAL.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

Claim(s) 1 - 7 is/are pending in the application.

Of the above claim(s) _____ is/are withdrawn from consideration.

Claim(s) _____ is/are allowed.

Claim(s) 1 - 7 is/are rejected.

Claim(s) _____ is/are objected to.

Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- The proposed drawing correction, filed on _____ is approved disapproved.
- The drawing(s) filed on _____ is/are objected to by the Examiner.
- The specification is objected to by the Examiner.
- The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - All
 - Some*
 - None of the CERTIFIED copies of the priority documents have been received.
- received in Application No. (Series Code/Serial Number) _____.
- received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

Attachment(s)

- Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- Interview Summary, PTO-413
- Notice of References Cited, PTO-892
- Notice of Informal Patent Application, PTO-152
- Notice of Draftsperson's Patent Drawing Review, PTO-948
- Other _____

Office Action Summary

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Renskers taken with Matsumura et al and either Zelt or Wilfinger. Applicant does not positively recite a printed circuit board (PCB); applicant's package is not mounted on a printed circuit board. Therefore, since the board is not part of the combination, it is of no moment whether the package of Renskers is subsequently mounted on top of a board or the pins of Renskers go through the board. The phrases, "for mounting onto the surface of a printed circuit board" does not mean that the package is mounted on a printed circuit board. The pins 38 can be mounted on top of a PCB or can extend through holes of PCB; the claims neither include nor exclude such an arrangement. Intended use has no patentable significance. In any event, in order to provide a firm anchor for the terminals and to mount the package in a surface mount arrangement, it would have been obvious to mold the terminals 32 of Renskers in the wall of the package as taught by Matsumura et al. Further, since Matsumura has his terminals 30, 31 extending from the package in a gull wing fashion, it would have been obvious to extend the terminals of Renskers in a gull wing fashion in order to provide terminals which can be surface mounted. The claims recite "a plurality of terminal pins molded within and extending through and below a bottom of said side wall"; Renskers has his pins extending through and below a bottom of the side wall; they are through the

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bottom at 40 and below the side wall at 38, 42. This is true even through the pins extend inwardly and are encapsulated. The expedient of using a rib or beam in order to provide reinforcement to a case is notoriously old as shown by either Zelt or Wilfinger et al. It would have been obvious for Renskens to have a beam or rib in his casing 12, 16 in order to provide reinforcement as taught by either Wilfinger or Zelt.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to T. Kozma whose telephone number is (703) 308-1326. The examiner can normally be reached on Monday-Friday from 6:30 AM to 4:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Gellner, can be reached on (703) 308-1721. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

Kozma/dc
June 21, 1999



THOMAS J. KOZMA
PRIMARY EXAMINER
ART UNIT 2